

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING CERTIFICATE OF APPROVAL, PLN11-0343 AT 1240 SAINT CHARLES STREET RECOMMENDING THE CITY COUNCIL DESIGNATE THE BRUTON HOUSE CITY MONUMENT #30.

WHEREAS, the property owner, Jeannie Graham, initiated a request that the Bruton House be designated as a City Monument; and

WHEREAS, Alameda Municipal Code Section §13-21.4, the Historical Advisory Board shall, "Inspect and investigate any site, building, structure or group of structures, areas of special character, or special historical architectural, or aesthetic interest or value in the City which it has reason to believe meets one or more of the criteria for Historical Monument designation"; and

WHEREAS, the Applicant has submitted a report prepared by Architectural Historian Woodruff Minor dated October 2011 that finds the Bruton House eligible for Monument status; and

WHEREAS, the Historical Advisory Board held a public hearing and examined pertinent documents on 1 December 2011; and

WHEREAS, the Board finds that this request is not a project as defined by Section 15378 of the California Environmental Quality Act; and

WHEREAS, the Board made the following findings with respect to the proposed City Monument designation:

- (1) Architectural Significance. The Bruton house has architectural significance as a noteworthy example of a Colonial Revival home built by the prominent firm of D. Straub & Son.
- (2) Historical Significance. The building has historical significance as the home of celebrated California artists Margaret, Esther and Helen Bruton. Secondary historical significance is derived from: the association with the Bruton sisters' father, Daniel Bruton, a prominent San Francisco businessman; and "embodying historical patterns of development in the Gold Coast, while its association with an Irish family reflects broader cultural patterns of immigration and ethnicity in 19th century America."

(3) Integrity. The Bruton house possesses sufficient integrity to warrant Monument status.

NOW, THEREFORE, BE IT RESOLVED that the Historical Advisory Board hereby grants Certificate of Approval, PLN11-0343, recommending the designation of the Bruton House located at 1240 Saint Charles as City of Alameda Monument #30,

NOTICE. The decision of the Historical Advisory Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by Notice of Appeal stating the appellant claims that either the Board's decision is not supported by its findings or its findings are not supported by the evidence in the record.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020 (d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020 (a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.

INDEMNIFICATION. The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

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